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P.O. Box 11263
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DAN E. ARNETT
CHIEF OF STAFF

October 15, 2007

VIA EFILING AND HAND DELIVERY

Mr. Charles L.A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
101 Executive Center Dr., Suite 100
Columbia, SC 29210

Re: Petition of the Office of Regulatory Staff For A Rule To Show Cause As To Why
Certificates Of Public Convenience and Necessity Should Not Be Revoked
PSC Docket No.: 2007- _____-T

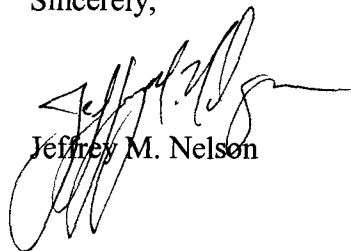
Dear Mr. Terreni:

Enclosed for filing please find the original and one (1) copy of the Petition of the Office of Regulatory Staff For A Rule To Show Cause As To Why Certificates Of Public Convenience and Necessity Should Not Be Revoked.

The Office of Regulatory Staff would like to request that a hearing be scheduled for the afternoon of November 29, 2007.

By copy of this letter, I am serving the necessary parties. Thank you for your assistance and please let me know if you have any questions.

Sincerely,



Jeffrey M. Nelson

JMN/pjm
Enclosure

cc: Parties of Record

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2007- _____ - T

IN RE:

Petition of the Office of Regulatory)	
Staff for Commission to Order a)	PETITION OF THE OFFICE OF
Rule to Show Cause as to Why)	REGULATORY STAFF FOR A RULE TO
The Certificates of Public)	SHOW CAUSE AS TO WHY
Convenience and Necessity for)	CERTIFICATES OF PUBLIC
Certain Motor Carriers Should Not)	CONVENIENCE AND NECESSITY
Be Revoked For Non-payment of)	SHOULD NOT BE REVOKED
<u>License Fees</u>)	

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina (“the Commission”) is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. §58-23-10 et seq. (Supp. 2006); that the Office of Regulatory Staff (“ORS”) is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §58-4-10, et seq. as enacted by 2004 S.C. Acts 175.

2. That the companies listed in Exhibit A are currently operating as “motor vehicle carriers” as defined in S.C. Code Ann. §58-23-10(4) in that they are incorporated for the purpose of owning, controlling, operating or managing motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-23-1010 et seq. (Supp. 2006); further, that these companies have submitted themselves to the jurisdiction of the Commission by holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A. See Exhibit A.

4. That the Companies listed in Exhibit A, upon receiving their Certificates of Public Convenience and Necessity, were found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found the companies were “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina” and that they “agree to operate in compliance with these statutes and regulations” 26 S.C. Code Regs. 103-133.4.a (Supp. 2006).

5. That, “A holder of a certificate A, B, or C with less than twenty vehicles must semi-annually **on or before January first and July first of each year** pay to the Commission the following fees: For vehicles weighing not more than two thousand pounds, seven dollars and fifty cents; and for vehicles weighing in excess of two thousand pounds, seven dollars and fifty cents for the first two thousand pounds and two dollars and fifty cents additional for each additional five hundred pounds or part thereof of weight, except that the total license fee may not exceed fifty dollars per vehicle semi-annually.” S.C. Code Ann. §58-23-560 (Supp. 2006) (emphasis added).

6. That, pursuant to S.C. Code Ann. §58-4-10 et seq. (Supp. 2006), beginning January 1, 2005, the Office of Regulatory Staff must represent the public interest of South Carolina before the Commission and has authority to enforce collection of such fees.

7. That the companies listed in Exhibit A failed to pay fees that were due on or before July 1, 2007 and are therefore currently not in compliance with Commission statutes governing the regulation of motor carriers.

8. That “the Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has

willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Certificate of PC&N is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria..." 26 S.C. Code Regs. 103-240 (Supp. 2006).

9. That "the Commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or willfully violated any of the terms of his certificate or of the Commission's proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The Commission must not be a party to any appeal." S.C. Code Ann. §58-23-320 (Supp. 2006).

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Issue an order requiring the carriers listed on Exhibit A to appear before the Commission, and show cause why any order should not be issued from this Commission revoking the Certificates of Public Convenience and Necessity previously issued to said carriers;

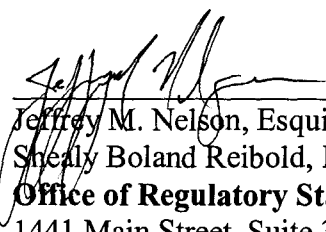
2. Provide for the opportunity by the carrier to respond to the allegations of this Petition within thirty (30) days from the date of the receipt of the Order;

3. Schedule and conduct a formal administrative hearing within 45 days to address disputed issues of fact and law regarding the Certificate pursuant to 26 S.C. Code Regs. 103-240 (Supp. 2006) and S.C. Code Ann. §58-23-320.

4. Pursuant to S.C. Code Ann. §58-23-560 (Supp. 2006), take judicial notice of the Commission's records in that the required semi-annual fees have not been filed for the companies listed in Exhibit A.

5. Enter a final order revoking the Certificates of Public Convenience and Necessity held by those carriers failing to pay the required fees; and

6. For other appropriate action which the Commission may deem necessary.



Jeffrey M. Nelson, Esquire
Shealy Boland Reibold, Esquire
Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, South Carolina 29201
Telephone: (803) 737-0823
Fax: (803) 737-0895

October 15, 2007
Columbia, South Carolina

EXHIBIT A
Docket Number 2007-_____-T
Rule to Show Cause for Non-Payment of License Fees

NO.	COMPANY NAME AND ADDRESS	CERT #	Docket #	Order #
1	CALVIN B. REED A FIRST CLASS LIMOUSINE PO BOX 80892 CHARLESTON SC 29416	7792	2007-55-T	2007-147
2	MORRIS L. ADAMS 838 PLAYGROUND ROAD CHARLESTON SC 29407-6446	7796	2006-388-T	2007-26
3	AMERICAN LIMOUSINE, LLC PO BOX 19221 CHARLOTTE NC 28219	7207	2002-99-T	2002-257
4	AN EXTREME LIMOUSINE, LLC 161 AVONDALE DRIVE AUGUSTA GA 30906	7677	2006-72-T	2006-178
5	SUSIE COOPER BROWN 220 RED ROAD KINGSTREE SC 29556	7102	2001-197-T	2001-458
6	CHARTER COACH AND BUS INC. 368-A JESSE STREET MYRTLE BEACH SC 29579	6984	2000-346-T	2000-569
7	JOSEPH M. FOLEY COLLINS TRANSPORTATION 2403 LONG BOW COURT CHARLESTON SC 29414	7626	2005-310-T	2005-580
8	COLUMBIA LIMOUSINE, LTD. PO BOX 8842 COLUMBIA SC 29202	5042	1987-664-T	1988-1091
9	JERRY COUNTS TRANSPORTATION, INC. 181 PINE VILLAGE ROAD SYLVANIA GA 30467	7821	2007-176-T	2007-368
10	JACQUELYN HEYWARD EXPRESS CHARLESTON PORT SHUTTLE 1836 MEETING STREET CHARLESTON SC 29405	7769	2007-12-T	2007-61
11	FANTASY LIMOUSINE COMPANY, INC. PO BOX 1728 MARION SC 29571	7644	2005-346-T	2005-658
12	GEORGE NIXON, JR. G & E LIMO SHUTTLE 315 THOMPSON-HARRIS ROAD EASTOVER SC 29044	7787	2007-77-T	2007-188
13	G.R.A.C.E. LIMO, INC. 908 MILL DRIVE SAVANNAH GA 31419	7475	2004-113-T	2004-224
14	WEBB HILTON 1288 FAIRLAWN DRIVE SUMTER SC 29154	7016	2000-574-T	2000-982

EXHIBIT A
Docket Number 2007-____-T
Rule to Show Cause for Non-Payment of License Fees

NO.	COMPANY NAME AND ADDRESS	CERT #	Docket #	Order #
15	TYRONE MILLER IMAGE LIMOUSINE & TRANSPORTATION 2176 SAVANNAH HWY., STE. 120 CHARLESTON SC 29414	6947-C	2000-284-T	2007-268
16	MARY L. JONES 617 N. BRUNSON ST. FLORENCE SC 29506	3768	1979-458-T	1979-717
17	JAMES D KENNEDY PO BOX 6441 FLORENCE SC 29502	7741	2006-293-T	2006-596
18	MEDXPRESS TRANSPORT, LLC 4728 NORTHGATE BLVD MYRTLE BEACH SC 29577	7329	2003-71-T	2003-147
19	GEORGE NANCE 802 13TH AVENUE SOUTH APT 105 MYRTLE BEACH SC 29577	7776	2007-46-T	2007-126
20	PELZER RESCUE SQUAD PO BOX 94 PELZER SC 29669	7496	2004-260-T	2004-435
21	PENDELTON AREA RESCUE SQUAD, INC. PO BOX 185 PENDELTON SC 29670	7506	2004-284-T	2004-483
22	TERESA WILLIAMSON T & J TAXI 1609 ELMWOOD STREET HARTSVILLE SC 29550	7371	2003-190-T	2003-405
23	TROY SMITH TROY'S TAXI 45-C RADLIFFE STREET CHARLESTON SC 29403	7637	2005-322-T	2005-591
24	LEROY W. VENNINGS 1885 BOHICKETT ROAD JOHNS ISLAND SC 29455-3303	7775	2006-389-T	2007-28

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OF SOUTH CAROLINA

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Staff for Commission to Order a)	
Rule to Show Cause as to Why)	CERTIFICATE OF SERVICE
The Certificates of Public)	
Convenience and Necessity for)	
Certain Motor Carriers Should Not)	
Be Revoked For Non-payment of)	
<u>License Fees</u>)	

This is to certify that I, Pamela J. McMullan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

CALVIN B. REED
A FIRST CLASS LIMOUSINE
PO BOX 80892
CHARLESTON SC 29416

MORRIS L. ADAMS
838 PLAYGROUND ROAD
CHARLESTON SC 29407-6446

AMERICAN LIMOUSINE, LLC
PO BOX 19221
CHARLOTTE NC 28219

AN EXTREME LIMOUSINE, LLC
161 AVONDALE DRIVE
AUGUSTA GA 30906

SUSIE COOPER BROWN
220 RED ROAD
KINGSTREE SC 29556

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368-A JESSE STREET
MYRTLE BEACH SC 29579

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1836 MEETING STREET
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MARION SC 29571

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315 THOMPSON-HARRIS ROAD
EASTOVER SC 29044

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908 MILL DRIVE
SAVANNAH GA 31419

WEBB HILTON
1288 FAIRLAWN DRIVE
SUMTER SC 29154

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IMAGE LIMOUSINE & TRANSPORTATION
2176 SAVANNAH HWY., STE. 120
CHARLESTON SC 29414

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617 N. BRUNSON ST.
FLORENCE SC 29506

JAMES D KENNEDY
PO BOX 6441
FLORENCE SC 29502

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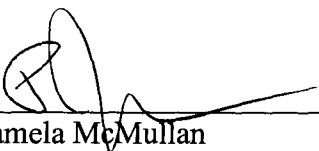
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PELZER SC 29669

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PO BOX 185
PENDELTON SC 29670

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CHARLESTON SC 29403

LEROY W. VENNING
1885 BOHICKETT ROAD
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Pamela McMullan

October 15, 2007
Columbia, South Carolina